

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

QUALITY INVESTMENT PROPERTIES)
SANTA CLARA, LLC,)
)
Plaintiff,)
v.)
)
SERRANO ELECTRIC, INC., ET AL.,)
)
Defendant.)
_____)

Case No.: C 09-5376 PSG

**ORDER DENYING SERRANO
ELECTRIC, INC.'S FURTHER
MOTION TO COMPEL**

(Re: Docket No. 255)

Defendant Serrano Electric, Inc. ("Serrano") moves to further compel Plaintiff Quality Investment Properties Santa Clara, LLC ("Quality") to produce responsive documents. Quality opposes the motion. On September 2, 2011, the parties appeared for hearing. Having reviewed the papers and considered the arguments of counsel,

IT IS HEREBY ORDERED that Serrano's motion to further compel is DENIED.

In an August 2 order,¹ the undersigned ordered Quality to produce documents responsive to document request no. 18 no later than August 26, 2011. The request sought all customer complaints submitted to Quality from November 1, 2007 to June 1, 2009. On or before August 26, Quality produced text-searchable Excel spreadsheets consisting of 21,015 entries.

Based on perceived deficiencies in Quality's production responsive to document request no.

¹ See Docket No. 139.

1 18, Serrano requested, and the court granted, a hearing on shortened time. Serrano complains that
2 Quality's production is over-inclusive because it includes such entries as frivolous as password re-
3 sets and requests to move equipment.

4 Quality responds that its production reflects the documents as they are kept in the regular
5 course of business.

6 At the hearing on the original motion, Quality argued that Serrano sought irrelevant
7 information. It stated that the scope of the request would encompass minor administrative or
8 operational issues that are not customer problems or complaints. Notwithstanding these concerns,
9 Serrano sought, and the court ordered Quality to produce documents responsive to the document
10 request.

11 The court finds that Quality has produced responsive documents as they are kept in the
12 regular course of business and as it was ordered to do by the court. Serrano cannot now reasonably
13 complain that the production is over-inclusive.

14 **IT IS SO ORDERED.**

15 Dated: September 2, 2011

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17 PAUL S. GREWAL
18 United States Magistrate Judge
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